

# AGENDA

*PUBLIC HEARING*

**Tuesday, January 23, 2018**

**7:00 p.m.**

**Council Chamber, Municipal Hall**

**355 West Queens Road,**

**North Vancouver, BC**

**Council Members:**

Mayor Richard Walton

Councillor Roger Bassam

Councillor Mathew Bond

Councillor Jim Hanson

Councillor Robin Hicks

Councillor Doug MacKay-Dunn

Councillor Lisa Muri



[www.dnv.org](http://www.dnv.org)

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## PUBLIC HEARING

7:00 p.m.  
Tuesday, January 23, 2018  
Municipal Hall, Council Chambers  
355 West Queens Road, North Vancouver

### AGENDA

#### Industrial Buildings & Structures – Zoning Bylaw Text Amendments

1. **OPENING BY THE MAYOR**
2. **INTRODUCTION OF BYLAW BY CLERK**

#### **District of North Vancouver Rezoning Bylaw 1338, (Bylaw 8158)**

*Purpose of Bylaw:*

Bylaw 8158 proposes to amend the Zoning Bylaw by:

- Deleting tanks and bunkers, permanent cranes, grain elevators and gas holders from section 407 Height Exceptions; and,
- Establishing new regulations in the Employment Zone Industrial (EZ-I) zone as follows:
  - For properties greater than 100m in lot width, maximum building width shall not exceed a maximum of 80% of the lot width; and,
  - For properties greater than 5000m<sup>2</sup> in total lot area, total building coverage shall not exceed a maximum of 80% of the total lot area.

3. **PRESENTATION BY STAFF**
4. **REPRESENTATIONS FROM THE PUBLIC**
5. **QUESTIONS FROM COUNCIL**
6. **COUNCIL RESOLUTION**

*Recommendation:*

THAT the January 23, 2018 Public Hearing be closed;

AND THAT “District of North Vancouver Rezoning Bylaw 1338, (Bylaw 8158)” be returned to Council for further consideration.

8. **CLOSING**

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# The Corporation of the District of North Vancouver

## Bylaw 8158

A bylaw to amend District of North Vancouver Zoning Bylaw 3210, 1965

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The Council for The Corporation of the District of North Vancouver enacts as follows:

### 1. Citation

This bylaw may be cited as the “District of North Vancouver Rezoning Bylaw 1338, (Bylaw 8158)”.

### 2. Amendments

2.1 District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:

- a) Section 407 Height Exceptions is amended by deleting the following paragraph:

“Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders.”

and replacing it with the following paragraph:

“Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads; domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; and temporary cranes.”

- b) Section 750.09 Building Depth and Width is amended by deleting ‘Not Applicable.’ and replacing it with the following:
- a) For properties greater than 100m in lot width, maximum building width shall not exceed a maximum of 80% of the lot width.
- c) Section 750.10 Coverage is amended by deleting subsection a) and replacing it with the following:
- a) For properties greater than 5000m<sup>2</sup> in total lot area, total building coverage shall not exceed a maximum of 80% of the total lot area.

**READ** a first time December 4<sup>th</sup>, 2017

**PUBLIC HEARING** held

**READ** a second time

**READ** a third time

Certified a true copy of "Rezoning Bylaw 1338 (Bylaw 8158)" as at Third Reading

\_\_\_\_\_  
Municipal Clerk

**APPROVED** by the Ministry of Transportation and Infrastructure on

**ADOPTED**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

Certified a true copy

\_\_\_\_\_  
Municipal Clerk

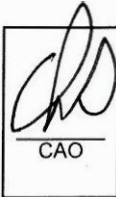
AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Dec 4, 2011</u>
<input type="checkbox"/> Other:	Date: _____



Dept.  
Manager



GM/  
Director



CAO

## The District of North Vancouver REPORT TO COUNCIL

November 22, 2017  
File: 08.3060.20/044.15

**AUTHOR** Kevin Zhang, Development Planner

**SUBJECT** **BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES**

### RECOMMENDATION

THAT Council provide Staff with direction relating to proposed Bylaw 8158.

### REASON FOR REPORT

On March 27, 2017, Council directed staff to undertake public consultation for proposed Bylaw 8158. The consultation process has concluded. This report presents the results of the consultation and seeks further Council direction relating to proposed Bylaw 8158.

### EXECUTIVE SUMMARY

As part of public consultation for proposed Bylaw 8158, Staff engaged with all affected properties, adjacent community associations, and organizations such as the Economic Partnership North Vancouver, North Shore Waterfront Liaison Committee, North Shore Waterfront Industrial Association, and the Vancouver Fraser Port Authority.

Overall, the feedback received on Bylaw 8158 was negative (Attachment C-E). Respondents believed that Bylaw 8158:

- Does not support the OCP Goal 3.2 of intensifying use of employment lands;
- Discourages investment and creates a competitive disadvantage for industrial lands under District jurisdiction;
- Prohibits some structures that are sized to industry standards;
- Negatively impacts primary jobs creation on industrial sites and secondary jobs creation in smaller related businesses; and
- Places overly restrictive siting regulations on smaller industrial sites.

**SUBJECT: BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES**

November 22, 2017

Page 2

**BACKGROUND**

Industrial Zoning Amendment Issue Timeline

The issues of height, width, and coverage, which affect the development of heavy industrial properties in the District, have always been important to the public, Council, and the local economy. Below is a timeline of events relevant to Bylaw 8158 and this report.

July 12, 2010	Council adopts new, more flexible EZ-I zoning (Attachment F).
November 9, 2015	Council passed motion for Staff to investigate height, building width, and building coverage issues regarding industrial lands. Specifically, Council requested the removal of height exceptions for certain industrial structures (Attachment B).
Mid 2016	Staff prepared Bylaw 8158 based on November 2015 Council motion.
March 27, 2017	Council reviewed Bylaw 8158 and directed staff to proceed with public consultation.
April - June, 2017	Staff conducted consultation on Bylaw 8158.
October 2017	Staff report back to Council with public consultation results.

Bylaw 8158

In response to Council direction, staff prepared Bylaw 8158 for public consultation which:

- amends Section 407 to remove the following structures from the list of height exceptions:
  - tanks and bunkers;
  - permanent cranes;
  - grain elevators; and
  - gas holders
- establishes new regulations in the EZ-I zone to:
  - limit individual buildings width to a maximum of 60% of the width of a property; and
  - establish a maximum building coverage of 80%.

This Bylaw was then taken to the public for feedback as per Council direction on March 27, 2017.

Affected Properties and Applications in Process

The proposed amendments would impact properties within the following 3 zones: EZ-I (Employment Zone Industrial), I1 (Waterfront Industrial Zone), and I2 (General Industrial Zone). Owners or leasee of such lands include: Seaspan, Allied Shipbuilders, Vancouver Pile Driving, Fibreco, Canexus, ERCO Worldwide, Kinder Morgan, Terrapure, and a series of smaller operations adjacent to the Lynnterm East Gate. The proposed amendments do not



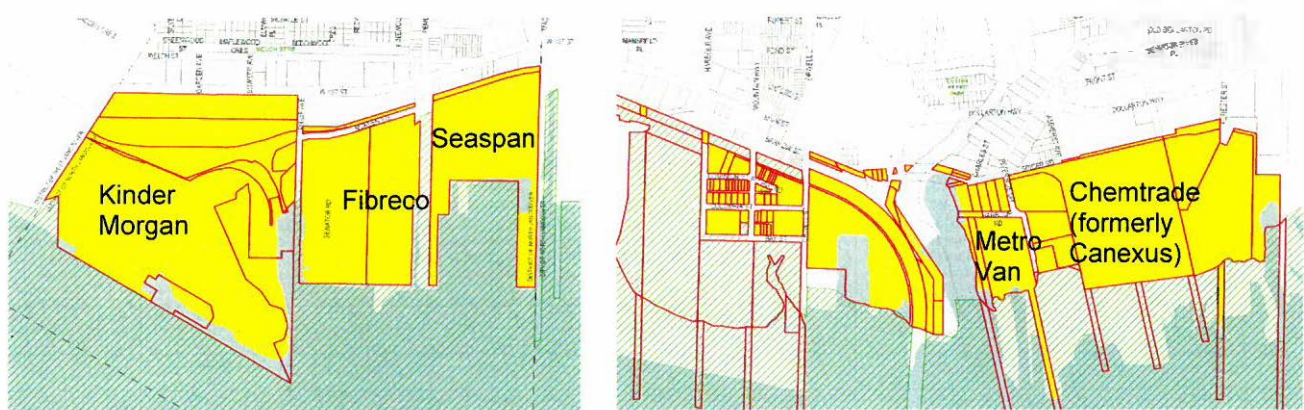
**SUBJECT: BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES**

November 22, 2017

Page 3

affect development on lands leased from Port Metro Vancouver, owned or administered by senior levels of government, the Squamish Nation; BC Rail, or CN Rail.

Given these exceptions, there are approximately 80 properties affected by the proposed amendments. The lots subject to the proposed amendments are illustrated on the following maps. On these properties, approximately 25 buildings/structures would be rendered non-conforming should the proposed Bylaw be adopted by Council. Under Section 532 (1) of the Local Government Act, if such a building/structure is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the building inspector, the building/structure must not be repaired or reconstructed except for a conforming use in accordance with the bylaw. Putting these buildings/structures into a non-conforming status may lead to impacts on business operations, financing, and insurance.



Affected Properties (highlighted in yellow)

Should Council choose to introduce and subsequently adopt this Bylaw, the current Development Application at 1209 McKeen (Fibreco) would require a Council issued height variance for the proposed silos and associated infrastructure (ranging from 40m - 50m).

**EXISTING POLICY AND TALL INDUSTRIAL STRUCTURES**

Official Community Plan

Pertaining to heavy industrial employment lands, the District's OCP goals include:

- 3.1 - protecting the employment function of employment lands;
- 3.2 - intensifying uses on employment lands; and
- 3.3 - enabling a diverse range of economic uses within employment lands.

Section 750 Employment Zone – Industrial (EZ-I)

Section 750 regulates development on industrial sites located on or in close proximity to the harbour. Aside from establishing permitted uses, EZ-I regulates the height of principal and accessory buildings and structures (unless they are exempted under Section 407).

**SUBJECT: BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES**

November 22, 2017

Page 4

Section 407 Height Exceptions

Section 407 of the District's Zoning Bylaw currently provides height exceptions for a variety of structures, including: towers; tanks; antennae; permanent cranes, grain elevators and gas holders, among others. Many of these structures are typically found on industrial properties adjacent to the harbour or on waterfront industrial lands leased from Port Metro Vancouver.

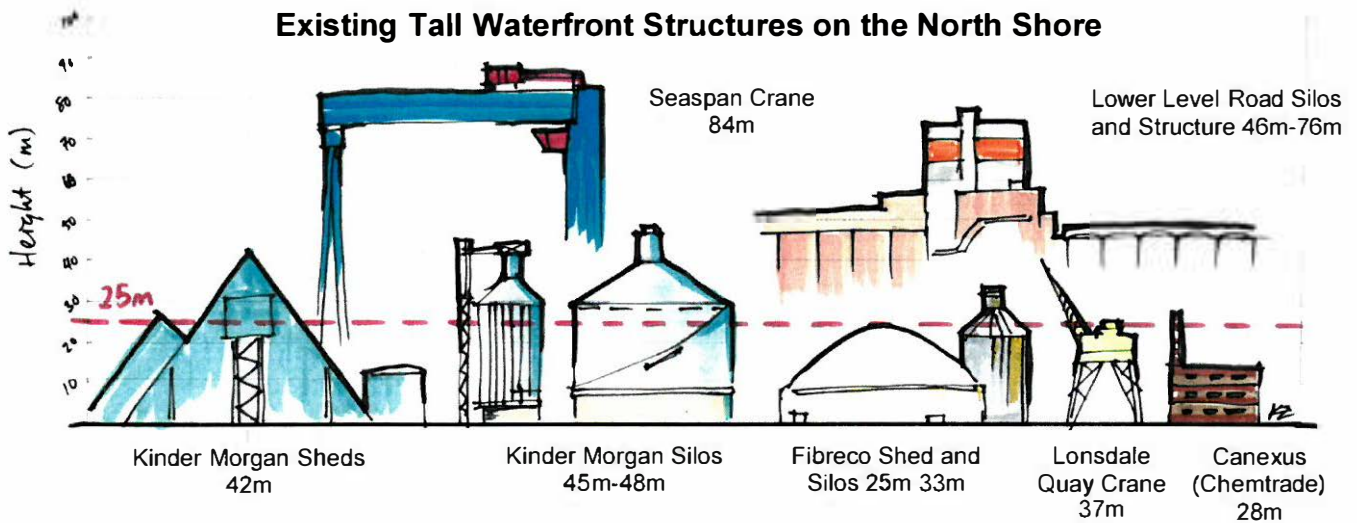
The intent of this exception is to provide an allowance for certain types of structures which are normally and customarily associated with the uses permitted on lands.

Development Permit for Form and Character of Industrial Development

The development permit area guidelines for the Form and Character of Industrial Development in the District's Official Community Plan do not currently contain guidelines that specifically refer to structures such as tanks, silos, and cranes. Staff could investigate amending the guidelines to consider view analysis in the future.

Existing Tall Waterfront Structures on the North Shore

To help visualize the maximum 25m height in relation to existing structures on the North Shore, the drawing below depicts the approximate height of the gantry crane at Seaspan, the low level road silos, the Kinder Morgan silos/sheds and other structures in relation to a 25m height line (red dotted line).



## **PUBLIC CONSULTATION RESULTS**

### Consultation Outreach

Letters seeking feedback were sent to:

- All owners and tenants of properties zoned EZ-I, I1, and I2
- Adjacent Community Associations
  - Norgate Park Community Association
  - Inter-River Community Association
  - Maplewood Community Association
- Organizations:
  - Vancouver Fraser Port Authority
  - North Shore Waterfront Liaison Committee (NSWLC) (members include citizens, business owners, and staff from all 3 municipalities and the Tsleil-Waututh Nation)
  - Economic Partnership North Vancouver (EPNV) (members include the North Vancouver Chamber of Commerce and business owners across the north shore)
  - North Shore Waterfront Industrial Association (members include 11 large industrial operators across the north shore)

In person meetings were held with:

- Economic Partnership North Vancouver on June 14, 2017; and
- North Shore Waterfront Liaison Committee on June 29, 2017.

### Feedback Summary

Overall, the stakeholder feedback received for Bylaw 8158 was negative. A summary of input is as follows:

- Organizations stressed the importance of reduced regulations to facilitate industrial investment, development and job creation.
- Larger industrial properties particularly opposed the height restriction citing reduced functional and economic flexibility.
- Smaller industrial properties opposed width and site coverage restrictions citing prohibitive site limitations.
- The Norgate Community Association responded indicating they had no comments.
- The Inter-River Community Association and Maplewood Community Association did not respond.

**SUBJECT: BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES**

November 22, 2017

Page 6

- General impacts of new restrictions
  - Discourage investment and development of already scarce industrial sites
- Regional importance
  - North shore industrial waterfront properties are part of a network of waterfront industrial sites that serve as the gateway of western Canada and Pacific Northwest.
- Competition
  - Potentially prohibitive regulation on north shore sites would put them at a disadvantage to other sites in Metro Vancouver.
  - Protecting industrial land for industrial requires that industrial uses be competitive against residential and commercial uses.
- Primary Jobs
  - Industrial expansion directly leads to well-paying jobs, e.g. Seaspan +1000 employees
- Secondary and tertiary jobs
  - Many smaller local businesses such as paving, metal work, service companies benefit from the operation and expansions of the large industrial operations.
- Heights are based on industry standards
  - Some equipment must be of a certain height to be functional. Reduction in height below a threshold would render some projects non-feasible. The following table is derived from a survey of waterfront industrial sites in the Metro Vancouver and Seattle regions.

<b>Structure</b>	<b>Typical Heights</b>
Large Storage Sheds	20-40m
Liquid Storage Tanks	15-25m
Solids Storage Tanks	30-40m
Material Elevators	30-70m
Cranes and Ship Loading Infrastructure	50-100m

Staff Response

In response to concerns raised by smaller industrial zoned properties regarding maximum building width and maximum building coverage, staff amended Bylaw 8158 by inserting appropriate property size triggers.



Previous Consultations - 2009 to 2010 Industrial Zoning Review

In 2009, Staff underwent a consultation process under the direction of Council to examine industrial zoning regulations with respect to promoting economic development and job creation. Of the approximately 100 pieces of feedback received from local businesses, stakeholders and neighbours, there was consensus that the existing industrial zoning regulations were:

- too rigid;
- confusing; and
- did not accommodate fluctuating industrial demands on the land.



**November 2009 Public Consultation on Encouraging Flexibility for Industries on EZ-I Lands**

As a result of this initiative, Council adopted a series of bylaws in early 2010 which rezoned much of the I1, I2, I3 properties in the District to the newly created EZ-I (Employment Zone - Industrial) and EZ- LI (Employment Zone – Light Industrial) zones. These new zones were crafted based on principles of:

- using simple and consistent language;
- removing regulations when regulations are not needed;
- ensuring that zoning regulations do not unnecessarily hinder job creation; and
- protecting industrial land for industrial jobs.

The most prominent project to be approved under the new EZ-I zoning is the expansion of Seaspan Ship Yards, which Seaspan reports has resulted in an increase of over 1000 jobs to date.

**CONCLUSION**

Based on public feedback received, including from industry and the Vancouver Fraser Port Authority, Staff is seeking Council direction with regard to Bylaw 8158.

**OPTIONS**

The following options are available for Council's consideration:

- 1. **THAT Council provide Staff with direction relating to proposed Bylaw 8158;**
- 2. **THAT this report be received for information and no further action be taken; or** Should Council take no further action, buildings and structures in heavy industrial zones would continue to be regulated by the existing Zoning Bylaw regulations and Development Permit guidelines; or
- 3. **THAT Bylaw 8158 be introduced and referred to a Public Hearing.** Should Bylaw 8158 be adopted, approximately 25 existing structures would become non-conforming and any development proposal in excess of the height limit would require a Council issued variance.

Respectfully submitted,



Kevin Zhang  
Development Planner  
District of North Vancouver

**Attachments:**

- A. Bylaw 8158
- B. Council Motion to prepare zoning amendment bylaw from Nov 19, 2015 Regular Council
- C. Response from Economic Partnership North Vancouver
- D. Response from North Shore Waterfront Liaison Committee
- E. Response from Vancouver Fraser Port Authority
- F. Employment Zone – Industrial (EZ-I)
- G. Section 407 Height Exceptions

<input type="checkbox"/> Sustainable Community Dev.	<input type="checkbox"/> Clerk's Office	External Agencies:
<input type="checkbox"/> Development Services	<input type="checkbox"/> Communications	<input type="checkbox"/> Library Board
<input type="checkbox"/> Utilities	<input type="checkbox"/> Finance	<input type="checkbox"/> NS Health
<input type="checkbox"/> Engineering Operations	<input type="checkbox"/> Fire Services	<input type="checkbox"/> RCMP
<input type="checkbox"/> Parks & Environment	<input type="checkbox"/> ITS	<input type="checkbox"/> Recreation Com.
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Solicitor	<input type="checkbox"/> Museum & Arch.
<input type="checkbox"/> Human resources	<input type="checkbox"/> GIS	<input type="checkbox"/> Other:

## The Corporation of the District of North Vancouver

### Bylaw 8158

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**PUBLIC HEARING** held

**READ** a second time

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Certified a true copy of "Rezoning Bylaw 1338 (Bylaw 8158)" as at Third Reading

\_\_\_\_\_  
Municipal Clerk

**APPROVED** by the Ministry of Transportation and Infrastructure on

**ADOPTED**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

Certified a true copy

\_\_\_\_\_  
Municipal Clerk



## Regular Meeting November 9, 2015 – Council Motion

### 9.9. Zoning Bylaw Amendments Re: Height Exceptions for Industrial Structures and EZ-I Zone Industrial Development Regulations

File No. 06.2210.01/000.000

**MOVED by Councillor MURI**

**SECONDED by Councillor MACKAY-DUNN**

THAT

1. Council direct staff to prepare a bylaw to amend the zoning bylaw to address negative impacts to views resulting from industrial development on the waterfront, and in particular, to:
  - a. Remove the height exemption in section 407 for bulkheads, tanks and bunkers, chimney and smoke stacks, permanent cranes, grain elevators and gas holders; and,
  - b. Introduce regulations in the Employment Zone – Industrial (EZ-I) Zone relating to building orientation, the depth and width of buildings and structures, and, building coverage.
2. Staff submit to Council, any complete building permit application received on or after November 17, 2015 for any lot that is zoned EZ-I and is on, or within 250 meters of, the foreshore of Burrard Inlet that staff consider are in conflict with the bylaw under preparation, for consideration of a resolution that the building permit or business licence be withheld for 30 days under Section 929 of the *Local Government Act*.

**CARRIED**

Opposed: Councillor BASSAM

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July 7, 2017

District of North Vancouver  
 Attention: Kevin Zhang, Community Planner  
 Email: [zhangk@dnv.org](mailto:zhangk@dnv.org)

**Re: Stakeholder Feedback on Proposed Zoning Changes to EZ-I Zones**

Dear Mr. Zhang,

In response to outreach from Charlene Grant, General Manager Corporate Services for the District of North Vancouver (the "District") on how the Economic Partnership North Vancouver (EPNV) could facilitate feedback on proposed zoning changes to properties zoned EZ-I (the "Amendments"), and further to your letter dated May 10, 2017 (received May 23, 2017) requesting comment on the Amendments, I am writing to provide the response from and position of the EPNV.

Based on our engagement to date, we do not believe the Amendments as drafted are in the best interests of the District, the larger North Vancouver community or North Vancouver businesses. A summary of our engagement process, the economic contribution of EZ-I zoned business to North Vancouver and reasoning for our position is set forth below.

**1.0 Engagement Process**

EPNV completed an engagement process inclusive of a variety of mechanisms and with a cross-section of potentially-affected and interested stakeholders. The process included:

1. Solicitation of feedback directly through face-to-face interviews, phone and email outreach with local EZ-I zoned businesses, their suppliers, EPNV board member organizations and other interested parties; and
2. Facilitation of a roundtable engagement session on June 14, 2017 at John Braithwaite Community Center of which the District was invited to, and did, attend.

A list of stakeholders EPNV engaged in this process is provided in Appendix A.

**2.0 Economic Contribution and Importance of EZ-I Zoned Business to North Vancouver**

Strong local economies require "readily available, high paying, employment-generating industrial lands"<sup>1</sup>. North Vancouver EZ-I zoned businesses:

- Contribute more than \$800 million in GDP annually to North Vancouver;
- Contribute more than \$16 million in tax revenue annually to North Vancouver;
- Create and support over 13,000 direct, indirect and induced jobs within North Vancouver now and for the next 20-30 years<sup>2</sup>;
- Typically generate jobs that pay double the annual average compensation rate per person<sup>3</sup>;

<sup>1</sup> <http://www.bccchamber.org/policies/protection-industrial-lands-future-prosperity>

<sup>2</sup> Calculated based on 2016 Port of Vancouver Economic Impact Study

<sup>3</sup> <http://www.bccchamber.org/policies/protection-industrial-lands-future-prosperity>

- Intensively invest in the community and local infrastructure (For example: Since 2014, Seaspn has spent \$109 million with 160 local North Vancouver suppliers and invested \$155 million to date on its shipyards modernization project); and
- Support Canada's largest port, a gateway for trade that is of major national significance.

### **3.0 EPNV Position and Reasoning**

With less than a 15-year supply of trade-enabling land left for development in Metro Vancouver, industrial lands and their massive economic impacts are permanently disappearing. Dwindling supply coupled with increased demand for trade means the need to preserve industrial land for industrial use, intensify land use and attract and encourage investment is more important than ever. The Amendments do not support these needs. EPNV does not believe the Amendments are in the best interests of the District, the larger North Vancouver community, its citizens and its business community for the following reasons:

#### ***1. The Amendments do not support the District's Official Community Plan (OCP) and intended use of industrial lands.***

The Amendments do not support the urgent need to protect and encourage the development of industrial land. They run contrary to the District's OCP which seeks to protect the employment function and intensification of uses on employment lands. As drafted, the Amendments: create constraints hindering effective and intensified land use; increase uncertainty and risk to potential investors; and in some cases could render valuable assets uneconomic.

#### ***2. The Amendments discourage efficient, intensified, purposeful and economic industrial land-use practices.***

Industrial-zoned businesses, particularly those that support port-related activities, require specialized and substantial equipment such as cranes, elevators and conveyors, and functional structures such as silos and storage sheds ("Industrial Structures") that are essential to operations. These Industrial Structures put thousands of people to work. These Industrial Structures allow businesses the ability to build, store and/or move a variety of product and commodities on a scale and in a manner that creates enough benefit to outweigh the costs of and risks associated with investment. These Industrial Structures are essential to creating economic value.

The Amendments not only restrict height, immediately limiting ship loading efficiency and shipbuilding infrastructure, but also width and site coverage. These compounding factors make it difficult, if not economically unfeasible, to create enough energy efficiency, storage capacity and throughput necessary to supply cargo ships.

#### ***3. The Amendments discourage investment and create a competitive disadvantage for new projects.***

The Amendments further compound the economic losses associated with a decreasing supply of industrial land in the region and put any new developments at a competitive disadvantage (locally and internationally) to projects developed prior to the implementation of such restrictive land use mechanisms.

Further, private companies are developing the waterfront at their cost and in doing so are ultimately driving great economic benefits for the District (as per 2.0 above). Investors have options for investing their capital. Constraints and restrictions that make investment too costly or uncompetitive will have long-term repercussions on the prosperity and sustainability of our community.

**4. Industrial land developments in the District are currently consistent with industry norms.**

While we understand the intent of the Amendments is to address “...negative view impacts resulting from industrial developments on the waterfront”, the existing bylaw supports the expectation that “uses in the Industrial Zone will be industrial in character and impact”<sup>4</sup>.

To that end, current and proposed developments on District industrial lands are generally within industry norms and are purpose built and use specific. Examples of some current or proposed structures within and outside of the District are identified in Table 1 below.

**Table 1: Industry Structural Height Norms & Examples of Current/Proposed Industrial Structures**

Structural Type	Typical Height	Example
Cranes and Ship Loading Infrastructure	50-100m	Seaspan Gantry Crane (existing) – 84m
Solid Storage Tanks	30-40m	Fibreco silos (proposed) – 38.3m
Material Elevators	30-70m	Fibreco conveyors (proposed) – 56.3m
Storage Sheds	20-40m	Kinder Morgan Sheds (existing) – 42m Vancouver Wharves (existing) – 42m

A process that always sets Council up to receive a variance application for Industrial Structures that are both standard and necessary for the functioning of an industrial site creates an additional and unnecessary level of regulation. This is not practical, efficient or productive and it further translates into an increase in time and cost for the District, the business and the community.

**5. The current development process is already inclusive and collaborative.**

Throughout the District’s existing planning and development process, industrial project proponents are engaged and consult with District staff and planners, Vancouver Fraser Port Authority (as applicable), the community, and other relevant and necessary stakeholders on an ongoing basis. The current process is working and is effectively engaging all relevant parties. Project plans are iterative and take into consideration the feedback received at all stages, thereby managing and mitigating potential uncertainties and risks to both the District and the business.

**4.0 Conclusion**

In conclusion, we reiterate our recommendation against adopting the Amendments and encourage you to continue to work collaboratively with business to create conditions that encourage investment in and development of our valuable industrial lands to the long-term and sustainable benefit of everyone in our community. We welcome the opportunity to continue to support the District’s process on this and other issues.

Sincerely,



Kendra Low, MBA  
Senior Program Manager  
Economic Partnership North Vancouver\*

<sup>4</sup> District Bylaw 8158, Section 750.01

Cc: Dan Milburn, General Manager, Planning, Properties & Permits - District  
 Charlene Grant, General Manager, Corporate Services - District  
 Patrick Stafford-Smith, Chief Development Officer - EPNV  
 EPNV Board Members\*

\*EPNV Board Members are named below:

1. Arc'teryx	Jon Hoerauf	President
2. BDC Business Development Bank	Louise Fogharty	Regional Director
3. BlueShore Financial	Chris Catliff	President & CEO
4. Capilano Suspension Bridge	John Stibbard	VP, Operations
5. Capilano University	Paul Dangerfield	President
6. Carter GM	James Carter	Owner & President
7. City of North Vancouver	Larry Orr	Manager, Business Services
8. Darwin Properties	Oliver Webbe	President
9. District of North Vancouver	Charlene Grant	GM, Corporate Services
10. Neptune Terminals	Jim Belsheim	President
11. North Shore Studios	Peter Leitch	President & CEO
12. North Vancouver Chamber	David Kim	Board Chair
13. North Vancouver Chamber	Patrick Stafford-Smith	CEO
14. Port Metro Vancouver	Robyn Crisanti	Director, Public Affairs
15. Quay Property Management	Gary Mathiesen	President & CEO
16. Seaspan ULC	Frank Butzelaar	CEO
17. Squamish Nation	Chief Gibby Jacob	Executive Operating Officer
18. Tsleil-Waututh Nation	Matthew Thomas	EDO
19. Vancouver Coastal Health	Karin Olson	COO
20. Western Stevedoring	Brad Eshleman	President

#### Appendix A

#### List of Engaged Stakeholders

EPNV staff engaged with and/or reached out to the following stakeholders for input on the Amendments:

- Fibreco
- BA Blacktop
- Allied Shipbuilders
- Univar Canada
- Chemtrade Electrochem (formerly Canexus)
- Kinder Morgan Terminals
- Seaspan ULC
- Port Metro Vancouver
- Darwin Properties
- Quay Property Management
- Western Stevedoring
- Kinder Morgan Terminals
- ERCO Worldwide
- Richardson International
- Cargill
- Vancouver Pile Driving



**Kevin Zhang**

---

**From:** Glen Webb <glenrtwebb@gmail.com>  
**Sent:** July 05, 2017 6:47 PM  
**To:** Kevin Zhang  
**Cc:** nswlc@portvancouver.com; michael evison; Tang-Graham, Frances  
**Subject:** District of North Vancouver proposed bylaw changes - height restrictions

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** EZ-I Text Amendment

Kevin J. Zhang  
Development Planner  
District of North Vancouver

Kevin,

Thank you for the informative presentation on behalf of the District of North Vancouver on the proposed bylaw changes.

Following your presentation, the North Shore Waterfront Liaison Committee discussed and reviewed the implications and consequences of height restrictions. As we all know from past experience, to enact bylaws which cover all contingencies is extremely difficult. We agreed that the District is correctly focusing on well-conceived planning principles which generally will mitigate exception to the current rule guidelines.

However, we believe it is extremely important to maintain the economic vitality of our inventory of industrial lands. A number of Committee members felt that the District should focus their efforts to encourage the development and designation of additional areas suitable for industrial sites.

Thank you for the opportunity to provide feedback on the proposed bylaw.

Sincerely,  
Glen Webb  
Chair  
Port Vancouver - North Shore Waterfront Liaison Committee



Vancouver Fraser Port Authority  
100 The Pointe, 999 Canada Place  
Vancouver, B.C. Canada V6C 3T4  
portvancouver.com

May 31, 2017

Mr. Kevin Zhang  
Development Planner  
District of North Vancouver  
355 West Queens Road  
North Vancouver, BC V7N 4N5

Dear Mr. Zhang:

**RE: Referral PLN2015-00044 – Draft Bylaw 8158  
District of North Vancouver**

Thank you for providing us with an opportunity to comment on the District of North Vancouver's draft Bylaw 8158, which seeks to amend Zoning Bylaw 3210, 1965, specifically as it pertains to Height Exceptions and Building Depth, Width and Coverage in designated Industrial Zones.

We have reviewed the contents of your letter dated May, 10<sup>th</sup>, 2017 as well as the Report, dated March 10<sup>th</sup>, 2017, that was presented to Council on March 27<sup>th</sup>, 2017 and offer the following comments.

As you will be aware, industrial lands in the Metro Vancouver region continue to be converted to other uses, resulting in a significant shortage of trade-enabling industrial land in Lower Mainland. This shortage undermines employment and economic development opportunities for the region and the country as a whole. Therefore, municipal policies and bylaws relating to lands currently designated for industrial uses should seek to be sufficiently flexible to protect these lands for future growth.

Section 750 of the District's Zoning Bylaw 3210, 1965 states that "*the intent of the Industrial Zone is to accommodate port oriented uses and general manufacturing and other industrial activities on lands adjacent to the Port and the rail corridor*". However, through the introduction of Bylaw 8158, the District proposes to remove the 25m height exception clause (Section 420) for various types of structures, such as grain elevators and cranes, which are critical to support port-oriented industrial

... /2



Mr. Zhang  
Referral - PLN2015-00044 - Draft Bylaw 8158  
May 31, 2017  
Page 2 of 2

operations. The Bylaw also introduces building width and coverage restrictions. If this Bylaw is adopted, Applicants will now be required to apply to the District for a development variance permit should they wish to construct structures that exceed these maximums within designated industrial areas.

The Council Report, dated March 10<sup>th</sup> 2017, highlighted the industry standard heights of various waterfront industrial structures, for example 30-70m for grain elevators and 50-100m for cranes and shiploading infrastructure. Development involving such structures would exceed the new 25m height restriction.

While we understand the desire for the District to review waterfront proposals for larger structures and buildings in the context of their potential view impacts, we suggest that the District's existing development permit process and zoning bylaw could be utilised to this end. Introducing new restrictions specifically targeted at industrial development may discourage those seeking to invest in and develop these scarce industrial sites.

In addition to the above, please note that the port authority rebranded in 2016 from "Port Metro Vancouver" to "Port of Vancouver."

Thank you for the opportunity to comment on the proposed Bylaw. Should you have any questions regarding our comments, please me at 604-665-9135.

Yours truly,

VANCOUVER FRASER PORT AUTHORITY



Tegan Smith  
Manager, Planning

cc Dan Milburn, General Manager, Planning, Properties and Permits, DNV  
Jessica Mehigan, Senior Planner, VFPA

**750 Employment Zone - Industrial (EZ-I)**

**750.01 Intent**

The intent of the Industrial Zone is to accommodate port oriented uses and general manufacturing and other industrial activities on lands adjacent to the Port and the rail corridor. It is expected that uses in the Industrial Zone will be industrial in character and impact.



**750.02 Permitted Uses**

The following *principal uses* shall be permitted in the Industrial zone:

**a) Uses Permitted without Conditions:**

- manufacturing use;*
- port-oriented use;*
- service use;*
- transportation use;*
- waste and recycling use; and*
- warehouse use.*



**(b) Conditional Uses**

The following *principal uses* are permitted when the conditions outlined in section 750.03 - Conditions of Use, are met:

- office use;*
- residential use; and*
- retail use.*

**750.03 Conditions of Use**

- a) Office use:** The use of land, buildings and structures for office use as a *principal use* is only permitted when the following conditions are met:
  - i. Office use is limited to the upper floors of an industrial building, and
  - ii. Office use may only take up as much floor area as is taken up by

(Bylaw7831)

*manufacturing, port-oriented, service, transportation, waste and recycling, or warehouse uses either singly or in combination on the lower floors, and in no case may the floor area used for office use exceed 2,500 m<sup>2</sup> (26,910 square feet).*

- b) **Retail use:** The use of land, buildings, and structures for *retail* is only permitted when the following condition is met:
  - i. *Retail use* is limited to the following class of retail only: *equipment sales and rental*.
- c) **Residential use:** The use of land, buildings and structures for residential use is only permitted when the following conditions are met:
  - i. The maximum dwelling unit size is limited to 100m<sup>2</sup> (1,076 square feet);
  - ii. A maximum of one dwelling unit per lot for lots under and equal to 10,000m<sup>2</sup> (2.5 acres); a maximum of two dwelling units per lot for lots larger than 10,000 m<sup>2</sup>, (2.5 acres) and less than or equal to 20,000 m<sup>2</sup> (5 acres); and a maximum of three dwelling units for lots over 20,000 m<sup>2</sup> (5 acres); and
  - iii. Where more than one dwelling unit is permitted, each dwelling unit must be located in separate buildings.

**750.04 Accessory Use**

- a) **Accessory uses** are permitted in a building provided that in combination they occupy, less than 25% of the floor area of the building or buildings, or in a multi-tenant building, less than 25% of the floor area occupied by the tenant.
- b) **Retail use** is limited to an *accessory use* except where expressly permitted as a conditional use.
- c) **Home occupations** are permitted in residential *dwelling units* in this zone, with the exception of day cares and schools for children.

**750.05 Density**

Not Applicable.

	Floor Area Ratio	Units per Hectare
Minimum Base Density	NA	NA
Maximum Base Density	NA	NA

(Bylaw 7831)

**750.06 Maximum Principal Building Size**

Not Applicable.

**750.07 Setbacks**

<b>Setback</b>	<b>Principal Building or Structure</b>	<b>Accessory Building or Structure</b>
<b>Front</b>	Minimum: 0 m Maximum: NA	Minimum: 0 m
<b>Rear on a lane</b>	Minimum: 1.5 m (5 ft)	Minimum: 1.5 m (5 ft)
<b>Rear</b>	Minimum: 0 m	Minimum 0 m
<b>Side</b>	Minimum: 0 m	Minimum: 0 m
<b>Side facing a street</b>	NA	NA
<b>Setback to a Creek</b>	Refer to the Streamside Development Permit Guidelines	
<b>Setback from an Ocean Natural Boundary Line</b>	Refer to the applicable environmental regulations and Port Metro Vancouver.	

**750.08 Building Orientation**

Not Applicable.

**750.09 Building Depth and Width**

Not Applicable.

**750.10 Coverage**

- a) Building Coverage: Maximum: Not Applicable.
- b) Site Coverage: Maximum: Not Applicable.

**750.11 Height**

- a) Principal Building or Structure: 25 m (82 feet);
- b) Accessory Building or Structure: 25 m (82 feet).

(Bylaw 7831)

**750.12 Landscaping**

Not Applicable.

**750.13 Subdivision Requirements**

a) Subdivision lot design standards are as follows:

Minimum Lot Size	Maximum Lot Size	Minimum Lot Width	Minimum Lot Depth	Minimum Lot Width on Corner Lots
1,100m <sup>2</sup> (11,841 sq ft)	NA	24m (79 ft)	34m (112 ft)	24 m (79 ft)

**750.14 Additional Accessory Structure Regulations**

Not Applicable.

**750.15 Parking and Loading Regulations**

- a) Parking and loading spaces shall be provided in accordance with Part 10 of this Bylaw.
- b) In cases where a development application is submitted without an identification of specific uses, parking requirements will be assessed on the basis of a minimum of one space/100m<sup>2</sup> (1,076 sq.ft.) of *gross floor area*, and the issuance of business licences for permitted uses in that building will be dependent upon the availability of parking on the lot or on an adjacent lot in accordance with Part 10 of this Bylaw.

**750.16 Zone Specific Development Permit Regulations**

Not Applicable.

Note: Please refer to the Official Community Plan for development permit area maps and related guidelines. You can also view the development permit areas as a layer on the District's mapping website: [www.geoweb.dnv.org](http://www.geoweb.dnv.org).

(Bylaw 7831)

- (2) where a single-family residential building containing a bed and breakfast business also includes rooms for boarders and lodgers, the rooms and the boarders and lodgers shall be included in the maximum number of rooms and patrons permitted for Class 1 and Class 2 bed and breakfast businesses; and
- (3) the person licenced to operate a bed and breakfast business must be a resident of the single-family residential building containing the bed and breakfast and any number of residents of the single-family residential building may be employees of the business. One additional non-resident employee may be engaged in the direct operation of the Bed and Breakfast at any one time.

(Bylaw 7073)

**406 Conflicting Use or Siting**

No parcel or area of land shall be alienated, and no use shall be initiated, and no building or structure shall be sited in a manner which thereby renders non-conforming any existing use or building or structure.

**407 Height Exceptions**

Notwithstanding any other height provisions of this Bylaw, the following buildings, structures or portions thereof shall not be subject to height limitation:

Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders.

(Bylaw 6767)

Elevator penthouses, heating, cooling, ventilation and mechanical equipment provided they are completely screened and do not extend more than 2.4 metres above the highest point of any roof surface.

(Bylaw 7664)

Solar collectors and associated mechanical components, subject to compliance with the regulations in Part 4C.

(Bylaw 7829)

# PUBLIC HEARING

## Industrial Buildings & Structures – Zoning Bylaw Text Amendments

**What:** A Public Hearing for Bylaw 8158, proposed amendments to the Zoning Bylaw, to address issues of height, building width and building coverage which affect industrial properties in the Employment Zone Industrial (EZ-I), Waterfront Industrial Zone (I1) and General Industrial Zone (I2).

**When:** 7 pm, Tuesday, January 23, 2018

**Where:** Council Chambers, District of North Vancouver Municipal Hall, 355 West Queens Road, North Vancouver, BC

### What changes?

Bylaw 8158 proposes to amend the Zoning Bylaw by:

- Deleting tanks and bunkers, permanent cranes, grain elevators and gas holders from section 407 Height Exceptions; and,
- Establishing new regulations in the Employment Zone Industrial (EZ-I) zone as follows:
  - For properties greater than 100m in lot width, maximum building width shall not exceed a maximum of 80% of the lot width; and,
  - For properties greater than 5000m<sup>2</sup> in total lot area, total building coverage shall not exceed a maximum of 80% of the total lot area.

### Need more info?

Relevant background material and copies of the bylaw are available for review at the Municipal Clerk's Office or online at [dnv.org/public\\_hearing](http://dnv.org/public_hearing) from December 5, 2017 to January 23, 2018. Office hours are Monday to Friday 8 am to 4:30 pm, except statutory holidays.

### How can I provide input?

We welcome your input Tuesday, January 23, 2018, at 7 pm. You can speak in person by signing up at the hearing, or you can provide a written submission to the Municipal Clerk at [input@dnv.org](mailto:input@dnv.org) or by mail to Municipal Clerk, District of North Vancouver, 355 West Queens Road, North Vancouver, BC, V7N 4N5, before the conclusion of the hearing.

Please note that Council may not receive further submissions from the public concerning this application after the conclusion of the public hearing.

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